

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

PATRICIA PORTER KRYDER, )  
Plaintiff )  
v. )  
JAMES KEMMLER ROGERS, and )  
JENIFER ROGERS-ETCHEVERRY, )  
Defendants. )

No. 1:13-cv-00048

JUDGE HAYNES  
JURY DEMAND

*MOTION  
Plaintiff  
is DENIED as  
a party may  
plead inconsistent  
claims and defenses  
LJF  
ASW  
3-11-14*

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**MOTION TO DISMISS COUNTERCLAIM, OR IN THE ALTERNATIVE  
MOTION FOR PARTIAL DISMISSAL AND MOTION TO STRIKE**

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Comes the Plaintiff, Patricia Porter Kryder, by and through counsel, and pursuant to Fed. R. Civ. P. 12(b)(6) and 12(f) hereby respectfully moves the Court to dismiss Defendant James Kemmler Rogers' Counterclaim in its entirety. In the alternative, Plaintiff respectfully moves the Court to dismiss Counts II-V of the Counterclaim and to Strike the ELEVENTH DEFENSE asserted in Defendants' Answer.

The grounds for this Motion are set forth in Plaintiff's Memorandum of Law, which has been filed contemporaneously herewith.